

**Troy Brady**

E1-1627

**From:** "Jim Pepe" <JimPepe@semtribe.com>  
**To:** <pseudocajun@msn.com>  
**Cc:** "Willard Steele" <wsteele@semtribe.com>  
**Sent:** Wednesday, July 20, 2005 5:14 AM  
**Subject:** Florida East Coast Railway, L.L.C./Abandonment Exemption

Troy Brady,

The Tribal Historic Preservation Office (THPO) for the Seminole Tribe of Florida has reviewed the FEC's Combined Environmental and Historic Report for the abandonment of the South Little River Branch Line in Miami-Dade County as well as the Surface Transportation Board's Environmental Assessment for the same project. The Environmental Assessment notes that if any archaeological

"sites existed immediately below the surface those sites would have been disrupted during construction of the rail line. Salvage operations would take place on the surface of the land and picking up salvageable material and thus would not disturb any archaeological sites that might exist in the area" (4-5).

We have also reviewed the correspondence from the State Historic Preservation Office (SHPO) concerning this project and note that the SHPO indicates that "no historic properties are known to exist in the areas of potential effect" for this project (letter from Frederick Gaske, SHPO, to Ms. Marlene Hammock, March 25, 2005). The letter goes on to say that the SHPO looks "forward to reviewing the "Environmental and Historic Report" in order to complete the process of reviewing the impact of this proposed undertakings (sic.) on historic properties."

Based on the material provided to date to the Tribal Historic Preservation Office, it is our opinion that this material is insufficient for the THPO to determine whether cultural resources important to the Tribe might be disturbed by this project. The THPO notes that construction of the various lines of the FEC railroad throughout the State of Florida certainly did "disrupt" several archaeological sites. However, it is currently unknown whether this construction actually "destroyed" any or all of these sites. Important archaeological resources and/or resources that are culturally important to the Tribe (such as subsurface pre-Columbian burials) may still exist even after a site has been disturbed. Further, although both the FEC and the SHPO state that no known archaeological sites are known to exist within the Little River Branch corridor in particular, this certainly does not preclude the possibility that archaeological sites exist within the corridor. According to records on file with the Florida Master Site File, no archaeological survey or analysis has ever been conducted of the Little River Branch corridor by a professional archaeologist.

Therefore, the THPO requests that an analysis of the archaeological potential for the Little River Branch corridor be conducted by a professional archaeologist. If after this analysis, any archaeological sites are identified within the corridor, a professional archaeologist, not the FEC or the Surface Transportation Board, should determine what sort of disturbances the construction of the Little River Branch has had on the archaeological potential of each site to yield important archaeological information. Particular emphasis should be placed on the possibility of the presence of intact human burials within any portion of the corridor.

Finally, the THPO notes that nowhere in the information on this project forwarded to our office does the SHPO determine that this project will have no effect on archaeological or historic resources eligible or potentially eligible for the National Register of Historic Places. Indeed, the SHPO letter included as an appendix to the FEC's Combined Environmental and Historic Report mentions that the SHPO looks "forward to reviewing the "Environmental and Historic Report" in order to complete the process of reviewing the impact of this proposed undertakings (sic.) on historic properties." The THPO supports the SHPO's position and requests that the FEC's Combined Environmental and Historic Report be forwarded to the SHPO so that they can continue their assessment of this project.

The THPO thanks you for your efforts to fulfill your duties under Section 106 of the National Historic Preservation Act and looks forward to working with you further on this project. If you have any questions or comments, please do not hesitate to contact our office.

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8/21/2005